

OGC HAS REVIEWED.

14 Dec 53

DEC 17 1953

MEMORANDUM FOR: Director of Central Intelligence

SUBJECT : Testimony on the Davies Case

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1. Mr. Pforzheimer and I discussed with Mr. William Rogers, Deputy Attorney General, the request from the Jenner Committee that we review the testimony given before the McCarran Subcommittee on the Davies case, with a view to deleting portions so that the remainder could be published. It was agreed certain specific items still classified and not heretofore revealed could be deleted and that deletions would be agreed to by the Committee. Examples are the public revelation of [] connection with this Agency and the [] by the Agency [] It was also agreed that the basic information on this case had appeared publicly as a result of the open hearings at which [] had testified or had been pretty well covered by the Press.

2. We stated to Mr. Rogers that the following considerations seemed the most important to us:

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a. Publication of the record would be the first public acknowledgment by CIA officials of the covert [] activities of the Agency.

b. The Agency employees had testified under guarantee from the Subcommittee Chairman that the testimony was "TOP SECRET" and would be protected. Their testimony accordingly was very frank and full. This is not the type of testimony that can be easily edited for release in any satisfactory form, and it seems inappropriate to ask an intelligence agency to release testimony given under these conditions.

c. Release of the testimony in whole or in part will shake confidence in the integrity of the Agency's files and its ability to protect those who furnish it information on a confidential basis. This would be true particularly in regard to our relationships with foreign intelligence services.

3. Mr. Rogers said that he agreed with our conclusions and felt that our situation was very similar to that of the Federal Bureau of Investigation which he felt should not be compelled to reveal publicly any similar record relating to its operations. He felt that we should not accede to the Committee's request and had valid grounds for approaching Senator Jenner and Mr. Morris to present the above arguments and say that we felt the reputation and integrity of our Agency would be seriously and adversely affected by release of the testimony, but that if the Chairman would indicate to us what specific facts he wished to obtain from the record to complement the record already published we could probably reach agreement. Mr. Rogers felt that Senator Jenner would be amenable to such an approach and would keep his Committee from pressing for release of the testimony as a whole.

4. It is recommended that Mr. Pforzheimer and I be authorized to approach Senator Jenner and Mr. Morris on this basis.

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LAWRENCE R. HOUSTON
General Counsel

APPROVED DATE:

ALLEN W. DULLES
Director